

**Poultney Board of Selectmen
Meeting
Monday, February 8, 2016 - 6:30 P.M
Poultney Town Hall**

Agenda

- 1) Adoption of the Agenda
- 2) Approval of Minutes: 01/25/16 (Draft Incomplete)
- 3) Public Comments and Concerns:
- 4) Road Report
- 5) Notice of Hearing on Dog Complaint - Kristina Marchinowski
- 6) Town Manager's Report
 - Letters & Communications
 - Budget FY 2016
- 7) Transact Any Other Lawful Business:
- 8) Board Orders
- 9) Adjourn

**Meeting Minutes
Poultney Board of Selectmen
Monday, February 8, 2016 - 6:30 PM
Poultney Town Hall**

Chairman Ed Lewis called the meeting to order. Other Board members present included: Corey Davenport, Jeff King and Tom Coloutti. Others present included: Jonas Rosenthal, Town Manager; Kristina Marchinowski and her husband, Myranda Hamel, Collin Schaueman and Mary Wilkins. Arriving at a later time in the meeting; Bill Humphries, Second Constable sitting in for First Constable Dale Kerber.

Adoption of the Agenda: Jeff King made a motion to adopt the agenda. Corey Davenport seconded the motion. Motion carried.

Approval of Minutes: Rosenthal distributed draft copies of the minutes of January 25, 2016 and recommended that they not be approved at this time as there were motions on the budget and the warning that were omitted.

Public Comments and Concerns: None at this time.

Road Report: The following was reported:

- 1) Ron Kelley was unavailable due to another light snow event.
- 2) Working on equipment maintenance.
- 3) Ron attended a workshop sponsored by the Rutland Regional Planning Commission regarding the availability of Better Back Roads grants for stormwater improvement projects.

Notice of Hearing on Dog Complaint - Kristina Marchinowski: Copies of the Notice were distributed along with the statement from the complaint of Myranda Hamel.

NOTICE OF HEARING ON DOG COMPLAINT

**TO: Kristina Marchinowski
490 South Street
Poultney, VT 05764**

Please take notice that the Selectboard of the Town of Poultney will hold a public hearing on the complaint of Myranda Hamel, alleging that a dog owned or kept by you, known as "Ruger" has bitten the complainant, that if the complaint is proven, to identify such dog owned or kept by you causing such damage and issuing a warrant to a constable or police officer commanding him forthwith to chain, confine, muzzle or to kill such dog in a humane manner wherever found.

Copies of the statement of the complaining witness dated February 2nd, 2016, and received on February 3rd, 2015 is attached hereto.

Such hearing shall take place:

Date and time: Monday, February 8, 6:45 PM

Location: Conference room at the Town Offices, 9 Main Street, Poultney, VT

Legal references: Title 20, Vermont Statutes Annotated; Internal Security and Public Safety, Animals, Chapter 193, Domestic Pet or Wolf-Hybrid Control, Section 3807 Killing a Domestic Pet or Wolf-Hybrid: AND the Town of Poultney Animal Control Ordinance Article 2 - Nuisance Animals (3) Attacks Animals; Article 4 - Disturbances and Nuisances; Article 5 - At Large Prohibited; and Article 17 - Animal Control Hearings.

Please take further notice that if you should fail to appear and defend, an order may be issued in your absence without further notice or hearing.

Issued by order of the Animal Control Officer on behalf of the Poultney Selectboard February 5, 2016.

s/Jonas Rosenthal
Animal Control
Poultney Health Officer

The hearing was held. Ed Lewis, Selectboard Chairman asked Myranda Hamel to describe the incident in her own words. She described the incident and provided in detail a written statement. Kristina Marchinowski apologized to Myranda about the incident. Kristina mentioned that she will purchase a fenced holding facility later in the spring and the dog known as "Ruger" will be placed in that fenced in area when she is home or her parents are home or hooked on a leash with a post in the ground and will not let the dog run free on her parents lawn. Kristina has acknowledged that her dog has run into the road before chasing cars. Discussion followed. The dog is registered with the Town Clerk as required by law and is current with its vaccinations.

Jeff King made a motion that the dog named "Ruger" be chained and confined in a fenced in area at all times when the dog is outside on the premises of the owner and that the owner reimburse Myranda an amount of \$ 38.51 for costs not covered by her insurance. Tom Coloutti seconded the motion. Motion carried

The Findings of Fact and Order will be issued in a few days of the Hearing.

Town Manager's Report:

- 1) Tom Coloutti discussed the activities of the Committee to select a site for the slate stone. The Committee had just met earlier and again, no decisions or recommendations have been made at this time.
- 2) The Agency of Transportation Certificate of Highway Mileage was presented for signature. Corey Davenport made a motion approve and sign the Certificate. Jeff King seconded the motion. Motion carried.
- 3) A letter and survey from Sara Samplawska requesting that the Town discontinue Fairway Lane North was received. The road is served by one residence. Discussion followed. The

consensus of the Board was to approve the request. The Board directed Rosenthal to contact Neal Vreeland Town Attorney to go over the proper procedure and Hearing Notice.

Board Orders: Jeff King made a motion to approve the Board Orders. Corey Davenport seconded the motion. Motion carried.

Tom Coloutti made a motion to adjourn the meeting. Jeff King seconded the motion. Motion carried.

s/Jonas Rosenthal